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JUL 26 2000

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Attorney for State Board of Pharmacy

BOARD OF PHARMACY

By: Marianne W. Greenwald
Deputy Attorney General
(973) 648-4738

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF:	:	
	:	
JOSEPH DEMARINIS, R.P.	:	
	:	
TO PRACTICE PHARMACY IN THE	:	FINAL ORDER
STATE OF NEW JERSEY	:	OF DISCIPLINE
	:	
	:	
	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On January 19, 2000 respondent was convicted of the crime of Conspiracy to Defraud the United States in Federal District Court of New Jersey. Specifically: respondent pleaded guilty to conspiring to defraud customers by buying and selling stolen drug samples. (A copy of the Judgment of Conviction, the Minutes of the

Proceedings and the Indictment are annexed hereto and made a part hereof).

3. The following sentence was ordered: Probation for a term of 3 years including, 30 days home confinement, 600 hours of community service, and a \$9,000 fine.

4. A Provisional Order in this matter was filed and served on respondent on March 2, 2000.

5. Respondent by way of letter dated July 11, 2000, asked the Board to modify the Provisional Order based upon his cooperation with the U.S. Attorney's Office and the alleged efficacy of the sample drugs distributed.

6. Respondent's submissions were reviewed by the Board and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board noted that no letter from the government was included in the submitted materials, that there was no proof as to the efficacy of the sample drugs, and that respondent did not dispute the Findings of Fact or Conclusions of Law set forth in the Provisional Order.

CONCLUSIONS OF LAW

1. The above conviction provides grounds for the suspension of his license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the crime of which respondent was convicted is one of moral turpitude and/or relates adversely to the practice of Pharmacy.

ACCORDINGLY, IT IS ON

July 26th, 2000

ORDERED THAT:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is revoked, with no right to request reinstatement prior to the termination of criminal probation.

NEW JERSEY STATE BOARD OF PHARMACY

By: Richard A. Palombo R.P.
RICHARD A. PALOMBO, R.P.
Board President

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BOARD OF PHARMACY

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IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF:	:	
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JOSEPH DEMARINIS, R.P.	:	
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TO PRACTICE PHARMACY IN THE	:	PROVISIONAL ORDER
STATE OF NEW JERSEY	:	OF DISCIPLINE
	:	
	:	
	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On January 19, 2000 respondent was convicted of the crime of Conspiracy to Defraud the United States in Federal District Court of New Jersey. Specifically: respondent pleaded guilty to conspiring to defraud customers by buying and selling stolen drug samples. (A copy of the Judgment of Conviction, the Minutes of the

a) Submitting a written request for modification or dismissal to H. Lee Gladstein, Executive Director, Board of Pharmacy, 124 Halsey Street, Sixth Floor, P.O. Box 45029 Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

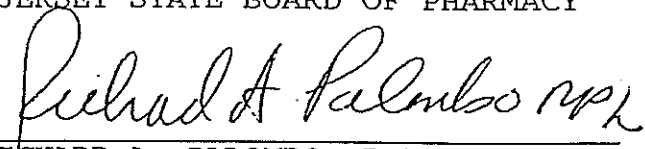
c) Submitting any and all documents or other written evidence supporting respondent's for consideration and reasons therefor or in mitigation of the penalty proposed.

4. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through the submission by respondent during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

5. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceeding.

NEW JERSEY STATE BOARD OF PHARMACY

By:



RICHARD A. PALOMBO, R.P.
Board President

FILED

UNITED STATES DISTRICT COURT
District of New Jersey

JAN 19 2000

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

UNITED STATES OF AMERICA

v.

Case Number 2:99-CR-0128-01

JOSEPH DEMARINIS

Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

ENTERED
on
THE DOCKET
on 1-20-00
WILLIAM T. WALSH, CLERK
By [Signature] (Deputy Clk)

The defendant, JOSEPH DEMARINIS, was represented by Justin P. Walder.

The defendant pled guilty to count(s) 1 of the information on 3-16-99. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date of Offense	Count Number(s)
18:371	Conspiracy to defraud the United States.	8-1-97	1

As pronounced on 1-12-00, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00, for count(s) 1, which shall be due immediately. Said special assessment shall be made payable to the Clerk, U.S. District Court.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 19th day of , January 2000

Certified as a true copy on

This Date: 1/21/00

By [Signature]
() Clerk
(✓) Deputy

[Signature]
Joseph A. Greenaway, Jr.
United States Judge

Defendant's SSN: 143-36-6877

Defendant's Date of Birth: 10-15-47

Defendant's address: 955 Northwood Avenue, Elberon, N.J. 07740